

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

JAMES H. PETERS,
BETSY PETERS,

Plaintiffs,

v.

JASON D. AMUNDSON-HODSON,
MARTIN TRUCKING COMPANY, INC.,

Defendants.

ORDER

09-cv-165-bbc

Defendants Jason D. Amundson-Hudson and Martin Trucking Company, Inc. have moved to dismiss plaintiffs' complaint, strike it in whole, render default judgment in favor of defendants and prohibit plaintiffs from introducing any and all expert testimony in support of their claims of negligence, loss of consortium and alleged damages. The motion will be granted in part.

Because plaintiffs did not name any persons as experts for whom they disclosed expert reports by the deadline set by the magistrate judge, plaintiffs may call persons listed under their "Notice of Experts" only if the persons listed do not testify as experts but confine their testimony to their observations and treatment of plaintiff James H. Peters. In other words,

these persons may not testify about matters that would require expert testimony, such as loss of earning capacity, loss of consortium, negligence or the extent of any long term disability resulting from the injuries for which they treated plaintiff James Parker.

ORDER

IT IS ORDERED that plaintiff James H. Peters and Betsy Peters are barred from calling any persons as expert witnesses at trial and may call those persons listed in their Notice of Experts only to testify to their observation and treatment of plaintiff James Peters.

Entered this 15th day of March, 2010.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge